

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.

ACTION AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY CITY OF HUNTINGTON BEACH

MONDAY, AUGUST 19, 2002

5:00 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

5:00 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer

Present (Green arrived 5:03 p.m.) (Houchen arrived during closed session)

Public Comments Regarding Study Session and Closed Session Agenda Items

None

(City Council/Redevelopment Agency) Study Session – Update on the Communications Committee Re: the Public Cable Television Authority (PCTA) and HBTB-3 by the Public Information Office (PIO) (160.10)

The Director of Communications and Special Projects will give a presentation regarding cable television services related to the city's continued participation in the Public Cable Television Authority (PCTA) and to answer questions about the city's government access television station, HBTB-3. (Staff communication titled *Background Materials for the City Council August 19, 2002 Study Session* included in agenda packet.)

Staff reviewed the PowerPoint report in the agenda packet. Mary Morales, Executive Director of PCTA and Laurann Cook, Mayor of Fountain Valley and Chair of the PCTA spoke at length re: PCTA services to City and desire that City of Huntington Beach not withdraw from membership.

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS**

<http://www.surfcity-hb.org>

Call Closed Session of City Council/Redevelopment Agency

Recommended Action: Motion to recess to Closed Session on the following items:

Approved 6-0-1 (Houchen absent)

(City Council) Closed Session – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator, Clay Martin, Director of Administrative Services; Ronald Hagan, Director of Community Services; and Steven M. Berliner, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **HBMEA, HBMEO, and SCLEA**. Subject: **Labor Relations – Meet & Confer**. (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled.

7:00 P.M. - Council Chambers

Reconvene City Council/Redevelopment Agency Meeting

- ** The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**

Roll Call Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
Present

Pledge of Allegiance

Pursuant to the Brown Act (Open Meetings Act) the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda

(1) Copies of late communications submitted by City Councilmembers or City Departments are available for the public at the City Clerk's desk. **(2)** Late communications submitted by members of the public will be made available to the public at the City Clerk's Office the morning after the Council meeting.

City Clerk announced Late Communications received relative to Agenda Items G-2a, G-2b, and G-2c.

Presentation – To Mayor Debbie Cook and City Council by Jim Engle, Community Services Deputy Director and Kate Hoffman, Cultural Services Supervisor, Art Center – A thank you to the City and Sponsors for a very successful Children's Art Summer Camp. Three children who participated in the Art Summer Camp will present tee shirts to the City Council.

Presentation of Mayor's Award – By Mayor Debbie Cook and City Treasurer, Shari Freidenrich to an employee of the City Treasurer's Department.

Presentation – To Mayor Debbie Cook and City Council by Kevin Ober, representing the Boeing Company, of a check for \$8,000 for the PRIDE Foundation in support of "Every 15 Minutes" drug and alcohol program. Present to receive the check is Ron Russell, President of the PRIDE Foundation and Police Chief Ron Lowenberg.

B. PUBLIC COMMENTS

The City Council welcomes public comments on all items on this agenda or of community interest. We respectfully request that this public forum be utilized in a positive and/or constructive manner. Please focus your comments on the issue or problem that you would like to bring to the attention of the City Council.

This is the time to address Council regarding items of interest or on agenda items OTHER than Public Hearings.

3 minutes per person, time may not be donated to others.
No action can be taken by Council/Agency on this date unless agendaized.

Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium

- 1. Speaker opposed to delaying election on the proposed Charter Amendment.***
- 2. Speakers requesting Council assistance to prevent a neighbor from videotaping people and children in the neighborhood.***
- 3. Speaker in support of regionalization of Fire Department services; favor initiating a pro-humane joint animal services with Seal Beach; and in support of his 5 point clean water plan.***
- 4. Speaker in opposition to the absence of the invocation at the Council meeting.***
- 5. Speaker offering apology to Mayor Cook re: issue of invocation; also speaking in support of firefighters.***
- 6. Speaker offering donation of \$500 to Shipley Nature Center. He stated that he does not favor supporting one job over another but hopes it goes to the Shipley Nature Center.***
- 7. Speaker in support of incorporating Indian Artifacts at Shipley Nature Center; also distributed a photo of her family farm that once covered 40 acres in the City. She requested the Park Ranger be retained in the budget.***
- 8. Speaker in opposition to proposed City budget, and requesting budget be placed on Internet.***
- 9. Speaker opposed to proposed budget and requested cuts instead of elimination, such as library again being closed on Sunday rather than eliminating a branch library.***

(Continued on Next Page)

- 10. Police Officers' Association President stated they would donate \$25,000 if the DARE Program can continue for a year. He stated this donation would be a part of other donations and if a total sufficient to keep open could not be reached then the \$25,000 would be give to another children's program.**
- 11. Speaker opposed to the elimination of the position of Cultural Arts Manager position.**
- 12. Speaker opposed to a delay in the conducting an election on the proposed Charter Amendment.**

C-1. Council Committee/Council Liaison Reports**C-1a. (City Council) Announcement by Councilmember Ralph Bauer of Appointment of Ronald Nagy to the Finance Board**

Councilmember Ralph Bauer will announce his appointment of Ronald Nagy to the Finance Board.

Recommended Action: Motion to:

Direct the City Clerk to record in the official minutes the appointment of Ronald Nagy to the Finance Board effective August 19, 2002.

Approved 6-0-1 (Houchen out of room)

Councilmember Green's Report on Vector Control Meeting

Councilmember Green reported on a meeting held on the West Nile Virus. He stated contrary to press reports it had not yet reached California. He presented overview of how the virus is contracted; preventative measures such as protective clothing and not leaving standing water. He spoke re: County monitoring measures being taken.

C-2. City Administrator's Report – None**D-1. (City Council) Public Hearings – None**

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

Recommended Action: Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. (City Council) Approve Final Tract Map No. 16196 of Tentative Tract Map No. 16196 (Timber Circle One-Lot Division) Sassounian, Adams and Zuckerman LLC – w/s Delaware Street Between Main and Garfield** (420.60) – **1.** Approve Final Tract Map No. 16196 and accept the offer of dedication, improvements, and bonds pursuant to findings and requirements (ATTACHMENT NO. 1); and **2.** Approve the Subdivision Agreement between the City and Sassounian, Adams and Zuckerman, LLC, and authorize execution by the Mayor and City Clerk (ATTACHMENT NO. 6). **Attachment No. 1 – Findings for Acceptance of Final Map (1)** Final Tract Map No. 16196 is in conformance with the California Subdivision Map Act, the City of Huntington Beach Subdivision Ordinance and Tentative Tract Map No. 16196 Conditions of Approval, as approved by the City Council. **Requirements:** **(1)** Acceptance of offer of dedication shall be subject to completion of improvements and requirements shown on the final map. **(2)** The City Clerk shall file the following bonds with the City Treasurer: (a) Faithful Performance Bond No. 833254S (Attachment No. 7); (b) Labor and Material Bond No.833245S (Attachment No. 7); (c) Monument Bond No. 833254S (Attachment No. 7). **(3)** The City Clerk shall affix her signature to the map and release it for recordation by the County of Orange. Submitted by the Planning Director. Funding Source: Not Applicable.
Approved 7-0
- E-2. (City Council) Approve Joint Use Agreement Between Huntington Beach Union High School District (HBUHSD) and City for Field and Light Use at Marina High School** (600.10) – Approve the *Joint Use Agreement Between the Huntington Beach Union High School District and the City of Huntington Beach for Field and Light Use at Marina High School* subject to the Huntington Beach Union High School District Board of Trustees approval; and authorize the Mayor and City Clerk to execute same. Submitted by the Community Services Director. Funding Source: Not Applicable. (Construction completed using \$450,000 in Park Acquisition and Development mitigation funds from Catellus Meadowlark Residential Development Project).
5-1-1 (Cook No; Green out of room)
- E-3. (City Council) Adopt Resolution No. 2002-82 – Approve Side Letter to Memorandum of Understanding (MOU) – Surf City Lifeguard Employees Association (SCLEA)** (720.20) – Adopt **Resolution No. 2002-82** – “A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Surf City Lifeguard Employees’ Association, by Adopting the Side Letter of Agreement (Regarding Number of Permitted Work Hours Within a Twelve-Month Period).” Submitted by the Community Services Director
Administrative Services Director. Funding Source: Not Applicable.
City Clerk announced Item E-3 is submitted by Administrative Services Director rather than Community Services Director.
Approved 7-0

- E-4. **(City Council) Adopt Resolution No. 2002-83 – Suspending for FY 2002-2003 the Property Tax Override to Pay for CalPERS Employees Retirement Benefits** (340.90) – Adopt **Resolution No. 2002-83** – “A Resolution of the City Council of the City of Huntington Beach Suspending for Fiscal Year 2002/2003 the Property Tax Override to Pay for Employee Retirement Benefits.” Submitted by the Administrative Services Director. Funding Source: Not Applicable. (Communication from City Attorney dated August 16, 2002 submitting Substitute Page No. 2 of Resolution No. 2002-8 included in agenda packet.)
Adopted 6-1 (Dettloff No)
- E-5. **(City Council) Authorize the City Administrator to Enter Into a Professional Services Agreement on Behalf of the City with Integrated Design Services for Professional Structural Engineering Consulting Services Relative to Donald Kiser Municipal Corporation Yard, Buildings C & E** (600.10) – Authorize the City Administrator to enter into a Professional Services Agreement with Integrated Design Services for professional structural engineering consulting services for the Donald Kiser Municipal Corporation Yard - Buildings C & E. Submitted by the Public Works Director. Funding Source: \$66,600 General Fund – Building Maintenance Account.
Approved 7-0
- E-6. **(City Council) Adopt Resolution No. 2002-81 – Disposition of Records** (170.50) – Adopt **Resolution No. 2002-81** – “A Resolution of the City Council of the City of Huntington Beach Authorizing Destruction of Certain City Records in the Office of the City Clerk.” Submitted by the City Clerk. Funding Source; Not Applicable. (See Exhibit “A” – Paper Records to be destroyed; said records are still available on microfiche.)
Adopted 7-0
- E-7. **(Redevelopment Agency) Reject All Bids in Conjunction with the Proposed Sale of 438 Main Street and Authorize Use of Commercial Broker to Market Property for Sale** (650.70) – Direct the Real Estate Services Division to reject all bids and solicit new offers in the open market using the assistance of a professional real estate agent or broker, including authorization of a broker commission up to 6% of the sale price. Submitted by the Economic Development Director. Funding Source: One time revenue for the Redevelopment Agency which would facilitate debt repayment to the General Fund.
Recommended Action Approved and Bids Rejected 7-0

F. **Administrative Items** – None

G. **Ordinances**

G-1. **Ordinances for Adoption**

- G-1a. **(City Council) Adopt Ordinance No. 3568 – Wireless Communication Facilities (Various Commercial, Industrial and Residential Districts) – Zoning Text Amendment – (ZTA 02-01) – Site Standards** (450.20) **Ordinance No. 3568** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Relating to Wireless Communications” amending various sections of the Huntington Beach Zoning and Subdivision Ordinance and adding Section 230.96 thereof relating to wireless communication facilities. Submitted by the Planning Director. (Public hearing held and introduction approved on August 5, 2002.)
Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3568**, by roll call vote.
Adopted 6-0-1 (Green out of room)

- G-1b. **(City Council) Adopt Ordinance No. 3569 – Formation of Huntington Beach Hotel/Motel Business Improvement District – (Community Facilities District - CFD) – To Promote City as Overnight Tourist Destination** (460.30) **Ordinance No. 3569** – “An Ordinance of the City Council of the City of Huntington Beach, California, Establishing a Business Improvement District, Called the ‘Huntington Beach Hotel/Motel Business Improvement District’, for All Huntington Beach Hotels and Motels.” Submitted by the Economic Development Director. (Public hearing held and introduction approved on August 5, 2002.)
Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3569**, by roll call vote.
Adopted 7-0

G-2. Ordinances for Introduction**G-2a. (City Council) Accept Sewer Service Charge Performance Audit and Approve Introduction of Ordinance No. 3570 Amending Municipal Code Chapter 14.55 Relating to Sewer Charge Modifications (640.10)**

(Five affirmative votes are required to adopt this Ordinance per Health and Safety Code Section 5471)

1. (300.10) Accept the *Sewer Service Charge Annual Performance Audit* as presented;

and

2. After City Clerk reads by title, approve introduction of **Ordinance No. 3570** – “An Ordinance of the City of Huntington Beach Amending Chapter 14.55 of the Huntington Beach Municipal Code Relating to Rates, Charges, Annual CPIU Adjustment and Billing Methodology for the Sewer Service User Charge.” Submitted by the Public Works Director.

Department of Public Works report presented.

Approved Introduction (5-2 Boardman, Cook No)

G-2b. (City Council) Adoption By Reference of 2001 Edition of the State of California Fire Code and Amendments Thereto – Approve Introduction of Ordinance No. 3571 and Schedule Public Hearing for September 16, 2002 (640.15)

1. After City Clerk reads by title, approve introduction of **Ordinance No. 3571** – “An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 17.56 Adopting the California Fire Code,” adopting the California Fire Code, 2001 Edition;

Approved Introduction as amended per Late Communication (7-0)

and

2. Set a Public Hearing on the adoption of Ordinance No. 3571 on September 16, 2002.
Approved 7-0

G-2c. (City Council) Adoption By Reference of the 2001 Editions of the California Building & Safety Codes and Amendments Thereto – Approve Introduction of Ordinance No. 3572 (Administrative Code) Ordinance No. 3573 (Building Code) Ordinance No. 3574 (Mechanical Code) Ordinance No. 3575 (Plumbing Code) Ordinance No. 3576 (Swimming Pool, Spa and Hot Tub) Ordinance No. 3577 (Electrical Code) and Schedule Public Hearing for September 16, 2002 (640.15)

1. After City Clerk reads by title, approve introduction of **Ordinance Nos. 3572, 3573, 3574, 3575, 3576, and 3577**, for the adoption of the 2001 amended editions of the California Building Code, California Plumbing Code, California Mechanical Code, and California Electrical Code and amendments to previously adopted Uniform Administrative Code and the Uniform Swimming Pool, Spa and Hot Tub Code:

Ordinance No. 3572 – “An Ordinance of the City of Huntington Beach Amending Chapter 17.02 of the Huntington Beach Municipal Code Adopting the Uniform Administrative Code;”

Approved Introduction (7-0)

Ordinance No. 3573 – “An Ordinance of the City of Huntington Beach Amending Chapter 17.04 of the Huntington Beach Municipal Code Adopting the Uniform Building Code;”

Approved Introduction as amended per Late Communication (7-0)

Ordinance No. 3574 – “An Ordinance of the City of Huntington Beach Amending Chapter 17.40 of the Huntington Beach Municipal Code Adopting the Uniform Mechanical Code;”

Approved Introduction as amended per Late Communication (7-0)

Ordinance No. 3575 – “An Ordinance of the City of Huntington Beach Amending Chapter 17.44 of the Huntington Beach Municipal Code Adopting the Uniform Plumbing Code;”

Approved Introduction as amended per Late Communication (7-0)

Ordinance No. 3576 – “An Ordinance of the City of Huntington Beach Amending Chapter 17.46 of the Huntington Beach Municipal Code Relating to the Uniform Swimming Pool, Spa and Hot Tub Code;”

Approved Introduction (7-0)

Ordinance No. 3577 – “An Ordinance of the City of Huntington Beach Amending Chapter 17.48 of the Huntington Beach Municipal Code Adopting the Uniform Electrical Code;”

Approved Introduction as amended per Late Communication (7-0)

and

2. Set a Public Hearing on Ordinance Nos. 3572, 3573, 3574, 3575, 3576, and 3577 for September 16, 2002 City Council Meeting per Government Code Section 50022.

Approved 7-0

H. City Council/Redevelopment Agency Items**H-1a. Submitted By Mayor Debbie Cook****(City Council) Direct City Attorney to Draft an Amendment to City's Ordinance Pertaining to Limitations on Slate Mailer Campaign Contributions (640.10)**

Communication from Mayor Debbie Cook transmitting the following **Statement of Issue**: Current Huntington Beach Campaign Ordinances do not adequately regulate contributions to a Slate Mailer Organization. As a result of the recent Coad/Norby Orange County Supervisor race, the County of Orange recently adopted language that would prevent slate mailers in which more than 25% of the surface area expressly advocates or opposes the election of an individual candidate without that individual candidate paying his/her attributable cost of production and distribution of the slate mailer. There are two requirements for the ordinance to take effect: (1) the candidate must coordinate with the slate mailer organization (i.e., it is not an independent expenditure, and (2) the slate mailer must devote over 25% of the surface area to supporting or opposing a Huntington Beach candidate.

Recommended Action: Motion to:

Direct the City Attorney to amend the city's codified campaign ordinances to further regulate use of slate mailers as shown in the attached draft ordinance.

Approved as amended to include comments made by Council (7-0)

Council Comments - (Not Agendized)

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Council/Agency Adjournment to Monday, August 26, 2002, at 4:00 p.m., in the Council Chambers, Civic Center, 2000 Main Street, Huntington Beach, California.

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**CONNIE BROCKWAY, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648**

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